

Workgroup Product
DRAFT for Senior Management Committee Discussion
OGC Informal Discussion - Accessing Special Accounts for Indirects

Talking Points

- **Exemption 5 - Deliberative Process**
[REDACTED]
- OCFO is exploring the use of special accounts for indirect, non-site specific costs.
- CERCLA 122(b)(3) states, "If, as part of any agreement, the President will be carrying out any action and the parties will be paying amounts to the President, the President may, notwithstanding any other provision of law, retain and use such amounts for purposes of carrying out the agreement."
- Model agreement language includes provisions to collect all costs, direct and indirect, from settling parties.
- Model agreement language also includes provisions that EPA shall use funds retained in a special account for response actions at or in connection with the site.
- Currently we expend special accounts to support only direct site costs, such as payroll, site-specific travel, site-specific contract and grant work.
- **Exemption 5 - Deliberative Process**
[REDACTED]

Questions

Exemption 5 - Deliberative Process
[REDACTED]